

Application No. 10/051,263
Docket No. 10003897-1

REMARKS

Claims 1-24 are pending in the application. In the Office Action of June 2, 2005, claims 1-3 and 7-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,609,106 ("Robertson") in view of Published Application US 2001/0051876 A1 ("Seigel"). Claims 4-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Robertson in view of Seigel as applied to claim 1 and further in view of U.S. Patent No. 6,601,057 ("Underwood"). Applicant respectfully traverses these rejections for the following reasons.

In exemplary embodiments, an electronic commerce system comprises a server connected to a network and (the server) having a processor and storage. The storage includes a custom catalog listing products using a unique product identification (PID) generated by the processor for each of the products. The PID has recipient information encoded therewith.

The product identification (PID) is generated and assigned for each item selected by the recipient for listing in the catalog. The PID uniquely identifies both the recipient and the selected item. A unique PID is generated for each of the items (Specification ¶ 0021).

The Office Action relies on Robertson (Fig. 2; col. 9, line 55 to col. 10, line 35) for describing Applicant's invention as recited in claim 1 (as well as independent claims 15 and 22).

As highlighted previously, Robertson simply fails to disclose generation of a unique product identification (PID) for each of the products wherein the PID has recipient information encoded therewith.

In Robertson, a "unique ID" is assigned by the Registrar to a user for enabling the user to add "items of interest" to the user's "wish" list (col. 9, lines 61-63 and col. 13, lines 63-65). In

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describing Fig. 2 of Robertson, the unique identifier is also described as being used to "tag" items of interest at participating service providers' (SP) sites. This unique ID is also given to a service provider by the Registrar and is stored with the user's items of interest (col. 10, lines 14-16).

Robertson generates one ID that is used for adding items to a list, tagging items of interest at participating SP sites and for associating the chosen items. Robertson, however, does not describe generating and assigning unique product identification (PID) for each product listed in a catalog wherein the unique PID has recipient information encoded therewith.

In contrast to Robertson, a unique PID having recipient information encoded therewith is generated for each product in Applicant's invention.

In order to overcome the deficiencies of Robertson, the Office Action relies upon Seigel for allegedly disclosing the PID incorporating recipient information.

Seigel is directed to a method of selecting products based on geographical criteria (¶ 0002). In Seigel, a user searches for appropriate gifts for a gift recipient. For example, a user may wish to order an appropriate birthday gift from France for their seven year old daughter in the U.S. The system may search for and present information on gifts that satisfy the user criteria - that is, gifts that are appropriate for birthdays for seven year old girls in the U.S. that are from France or associated with France and that can be shipped to the U.S. (¶0031).

The portions of Seigel relied upon by the Office Action (¶0119) describe a system using recipient profile information that is available (to the system) in searching for the appropriate products/gifts. If the information is unavailable, the system solicits it from the user.

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The recipient profile information is used as criteria in searching for appropriate products/gifts. In the example above, the recipient profile information would include occasion (birthday) age (seven), sex (girl), location (France, U.S.), etc. of the intended gift recipient.

As such, Seigel fails to disclose the use of recipient profile information incorporated into a unique PID.

The Office Action also cites the use of a vehicle identification number (VIN) or a serial number as a form of unique product identification. These product identification numbers (VIN for example), however, are generated and assigned prior to having a recipient associated therewith. Accordingly, a VIN (or a serial number for that matter) does not have recipient information encoded therewith nor is a VIN number permitted to be modified.

Moreover, each digit/letter or combination of digits/letters in a VIN (designated by an alphanumeric string) represent well known fields such as country of manufacture, brand, model, body style, options, etc. The PID of Applicant's invention, on the other hand, is generated using complex coding schemes (¶ 0021).

There is no motivation, suggestion or need in Robertson for utilizing such individual product identification (i.e. VIN, etc.) or recipient profile information (such as in Seigel) as suggested by the Office Action for tracking products.

The unique PID of Applicant's invention is generated based on item information in combination with recipient information (See Specification, ¶ 0022).

As highlighted above, Robertson and Siegel, taken alone or in any combination (along with a VIN) fail to disclose Applicant's invention as claimed.

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At least for these reasons, it is respectfully submitted that independent claims 1, 15 and 22 are allowable.

The remaining claims (i.e. 2-14, 16-21, 23 and 24), all of which depend on one of claims 1 and 15 and cite additional advantageous features thereof, are also allowable.

In addition, with respect to claims 4-6, Underwood fails to overcome the deficiencies of Robertson highlighted above.

Robertson also fails to disclose a PID identifying a registry as recited in claim 3. The portions of Robertson relied upon for allegedly teaching this feature (col. 14, lines 40-65) describe user authentication information based presumably also on the "unique ID" described above.

With respect to claim 10, the portions of Robertson relied upon for disclosing means for accepting suggestions for products for inclusion into the custom catalog (col. 10, lines 32-44) describe tagging items of interest and not accepting suggestions.

As recited in claim 13, the PID includes information on participants such as a person requesting the catalog, the registry, or a combination (See Specification, ¶ 0027); this feature is also not disclosed in Robertson.

In claim 19, the use of partial purchase of an item is recited. The assertion that this is well known is respectfully traversed. Once again, the Examiner is urged to provide evidence of this fact.

For at least those reasons presented above, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1-24.

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All of the rejections having been overcome, it is respectfully submitted that this application is in condition for allowance and a notice to that effect is earnestly solicited. Should the Examiner have any questions with respect to expediting the prosecution of this application, he is strongly urged to contact the undersigned at the number listed below.

Respectfully submitted,

Potomac Patent Group PLLC

By: Krishna Kalidindi
Krishna Kalidindi
Reg. No. 41,461

Potomac Patent Group PLLC
P.O. Box 270
Fredericksburg, VA 22404
(703) 893-8500

Date: September 2, 2005